



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 04/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP (MD) Nos.1771 of 2022

Siranjeevi

... Petitioner/13th Accused

Vs.

The State rep. By
The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.
(Crime No.678 of 2021)

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate.
For Respondent : Mr.SS.Madhavan
Government Advocate (Criminal side)

PETITION FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.678 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A13 apprehending arrest at the hands of the respondent police for the alleged offence under section 8(c) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.678 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 29/09/2021, on a secret information, the police team went to the place of occurrence and they found a car bearing registration No.TN-04-K-1819 came in Palani to Kodaikanal road. The Police intercepted the vehicle at Ayyampulli check-post and at that time, 11 accused persons were in possession of 1400 kgs of ganja. The accused 1 to 8 have given a statement they are transporting ganja to the petitioner as well as A12 namely Gopi @ Gopinath.

3.Heard both sides.

4.The earlier petition filed by this petitioner was dismissed by this court in Crl.OP(MD)No.68 of 2022, dated 11/01/2022 on the ground that the total contraband that has been mentioned in the

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petition is 1400 kgs. Finding that section 37 of NDPS Act is not complied that petition came to be dismissed on 11/01/20202. The second petition has been filed on the ground that in the earlier petition the total contraband is mentioned as 1400 kgs inadvertently. The said mistake is fairly admitted by the learned Government Advocate (Criminal side) appearing for the respondent/State.

5.Considering the above facts and circumstances of this case and also considering the fact that the petitioner is not having any previous case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Palani and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police once in 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-

04/02/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.1771 of 2022

Date :04/02/2022

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